

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA,

Government,

20 CR. 468 (RMB)

- against -

ORDER

ROBERT HADDEN,
Defendant.

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NOTICE

As the parties are aware, the Government in its sentencing submission, dated June 20, 2023, has calculated the advisory sentencing guidelines range to be 78 to 97 months. This differs from the Defense advisory guidelines range of 33 to 41 months; which in turn differs from the Probation Department's guidelines range of 51 to 63 months.

The Government also proposes that this case is appropriate for a substantial upward “variance” sentence of 25 years of incarceration.

While the Court has not yet determined what the sentence of Mr. Hadden should be, the Court hereby notifies all of the parties in this case, including the Defense, the Government, and the Probation Department, that the Court is contemplating a sentence outside the guidelines which may entail what are called departure and/or variance considerations. The Court hereby (i) notifies the parties and the victims of the possibility of an upward departure or variance; and (ii) directs the Defense, the Government, and the Probation Department to make written submissions concerning potential departure or variance in Mr. Hadden’s sentence. Such filings are to be made in accordance with the Court’s May 11, 2023 Order, namely Defense submission by July 6, 2023 and Government

submission by July 13, 2023. The Probation Department is directed to submit its position by July 13, 2023.

Dated: June 26, 2023
New York, NY



RICHARD M. BERMAN, U.S.D.J.